

Part 2

Alternate Means of Registering to Vote

20A-2-201 Registering to vote at office of county clerk.

- (1) Except as provided in Subsection (3), the county clerk shall register to vote each individual who registers in person at the county clerk's office during designated office hours if the individual will, on the date of the election, be legally eligible to vote in a voting precinct in the county in accordance with Section 20A-2-101.
- (2) If an individual who is registering to vote submits a registration form in person at the office of the county clerk during designated office hours, during the period beginning on the date after the voter registration deadline and ending on the date that is 15 calendar days before the date of the election, the county clerk shall:
 - (a) accept the form if the individual, on the date of the election, will be legally qualified and entitled to vote in a voting precinct in the county; and
 - (b) inform the individual that the individual will be registered to vote in the pending election.
- (3) If an individual who is registering to vote and who will be legally qualified and entitled to vote in a voting precinct in the county on the date of an election appears in person, during designated office hours, and submits a registration form on the date of the election or during the 14 calendar days before an election, the county clerk shall:
 - (a) accept the registration form; and
 - (b)
 - (i) if it is seven or more calendar days before the date of an election:
 - (A) inform the individual that the individual is registered to vote in the pending election; and
 - (B) for the pending election, the individual must vote on the day of the election and is not eligible to vote using early voting under Chapter 3, Part 6, Early Voting, because the individual registered too late; or
 - (ii) except as provided in Subsection 20A-4-108(5), if it is on the date of an election or during the six calendar days before an election, inform the individual that the individual will be registered to vote but may not vote in the pending election because the individual registered too late.

Amended by Chapter 130, 2015 General Session

Amended by Chapter 394, 2015 General Session

20A-2-202 Registration by mail.

- (1)
 - (a) A citizen who will be qualified to vote at the next election may register by mail.
 - (b) To register by mail, a citizen shall complete and sign the by-mail registration form and mail or deliver it to the county clerk of the county in which the citizen resides.
 - (c) In order to register to vote in a particular election, the citizen shall:
 - (i) address the by-mail voter registration form to the county clerk; and
 - (ii) ensure that it is postmarked on or before the voter registration deadline.
 - (d) The citizen has effectively registered to vote under this section only when the county clerk's office has received a correctly completed by-mail voter registration form.
- (2) Upon receipt of a correctly completed by-mail voter registration form, the county clerk shall, unless the individual named in the form is preregistering to vote:

- (a) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
 - (b) mail confirmation of registration to the newly registered voter after entering the applicant's voting precinct number on that copy.
- (3)
- (a) If the county clerk receives a correctly completed by-mail voter registration form that is postmarked after the voter registration deadline, the county clerk shall, unless the individual named in the form is preregistering to vote:
 - (i) register the applicant after the next election; and
 - (ii) if possible, promptly phone or mail a notice to the applicant before the election, informing the applicant that his registration will not be effective until after the election.
 - (b) When the county clerk receives a correctly completed by-mail voter registration form at least seven days before an election that is postmarked on or before the date of the voter registration deadline, the county clerk shall:
 - (i) process the by-mail voter registration form; and
 - (ii) record the new voter in the official register.
- (4) If the county clerk determines that a registration form received by mail or otherwise is incorrect because of an error or because it is incomplete, the county clerk shall mail notice to the person attempting to register or preregister, stating that the person has not been registered or preregistered because of an error or because the form is incomplete.

Amended by Chapter 130, 2015 General Session

20A-2-204 Registering to vote when applying for or renewing a driver license.

- (1) As used in this section, "voter registration form" means the driver license application/voter registration form and the driver license renewal/voter registration form required by Section 20A-2-108.
- (2) Any citizen who is qualified to vote may register to vote, and any citizen who is qualified to preregister to vote may preregister to vote, by completing the voter registration form.
- (3) The Driver License Division shall:
 - (a) assist applicants in completing the voter registration form unless the applicant refuses assistance;
 - (b) accept a completed voter registration form and transmit the form to the county clerk of the county in which the applicant resides within five days after the day on which the division receives the form;
 - (c) transmit each address change within five days after the day on which the division receives the address change; and
 - (d) transmit electronically to the lieutenant governor's office the name, address, birth date, and driver license number of each individual who answers "yes" to a question described in Subsection 20A-2-108(1), and indicate whether the individual is registering or preregistering to vote.
- (4)
 - (a) Upon receipt of a correctly completed voter registration form from an individual who is registering to vote, the county clerk shall:
 - (i) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
 - (ii) notify the applicant of registration.

- (b) Upon receipt of a correctly completed voter registration form from an individual who is preregistering to vote, the county clerk shall process the form in accordance with the requirements of Section 20A-2-101.1.
- (5)
 - (a) If the county clerk receives a correctly completed voter registration form that is dated after the voter registration deadline, the county clerk shall, unless the individual named in the form is preregistering to vote:
 - (i) register the applicant after the next election; and
 - (ii) if possible, promptly phone or mail a notice to the applicant before the election, informing the applicant that his registration will not be effective until after the election.
 - (b) When the county clerk receives a correctly completed voter registration form at least seven days before an election that is dated on or before the voter registration deadline, the county clerk shall, unless the individual named in the form is preregistering to vote:
 - (i) process the voter registration form; and
 - (ii) record the new voter in the official register.
- (6) If the county clerk determines that a voter registration form received from the Driver License Division is incorrect because of an error or because it is incomplete, the county clerk shall mail notice to the individual attempting to register or preregister to vote, stating that the individual has not been registered or preregistered because of an error or because the form is incomplete.

Amended by Chapter 130, 2015 General Session

20A-2-205 Registration at voter registration agencies.

- (1) As used in this section:
 - (a) "Discretionary voter registration agency" means the same as that term is defined in Section 20A-2-300.5.
 - (b) "Public assistance agency" means each office in Utah that provides:
 - (i) public assistance; or
 - (ii) state funded programs primarily engaged in providing services to people with disabilities.
- (2) An individual may obtain and complete a by-mail registration form at a public assistance agency or discretionary voter registration agency.
- (3) Each public assistance agency and discretionary voter registration agency shall provide, either as part of existing forms or on a separate form, the following information in substantially the following form:

"REGISTERING TO VOTE

If you are not registered to vote where you live now, would you like to apply to register or preregister to vote here today? (The decision of whether to register or preregister to vote will not affect the amount of assistance that you will be provided by this agency.) Yes____
No____ IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER OR PREREGISTER TO VOTE AT THIS TIME. If you would like help in filling out the voter registration form, we will help you. The decision about whether to seek or accept help is yours. You may fill out the application form in private. If you believe that someone has interfered with your right to register or preregister or to decline to register or preregister to vote, your right to privacy in deciding whether to register or preregister, or in applying to register or preregister to vote, or your right to choose your own political party or other political preference, you may file a complaint with the Office of the Lieutenant Governor,

State Capitol Building, Salt Lake City, Utah 84114. (The phone number of the Office of the Lieutenant Governor)."

- (4) Unless a person applying for service or assistance from a public assistance agency or discretionary voter registration agency declines, in writing, to register or preregister to vote, each public assistance agency and discretionary voter registration agency shall:
 - (a) distribute a by-mail voter registration form with each application for service or assistance provided by the agency or office;
 - (b) assist applicants in completing the voter registration form unless the applicant refuses assistance;
 - (c) accept completed forms for transmittal to the appropriate election official; and
 - (d) transmit a copy of each voter registration form to the appropriate election official within five days after it is received by the division.
- (5) A person in a public assistance agency or a discretionary voter registration agency that helps a person complete the voter registration form may not:
 - (a) seek to influence an applicant's political preference or party registration;
 - (b) display any political preference or party allegiance;
 - (c) make any statement to an applicant or take any action that has the purpose or effect of discouraging the applicant from registering to vote; or
 - (d) make any statement to an applicant or take any action that has the purpose or effect of leading the applicant to believe that a decision of whether to register or preregister has any bearing upon the availability of services or benefits.
- (6) Upon receipt of a correctly completed voter registration form, the county clerk shall, unless the individual named in the form is preregistering to vote:
 - (a) enter the applicant's name on the list of registered voters for the voting precinct in which the applicant resides; and
 - (b) notify the applicant of registration.
- (7)
 - (a) If the county clerk receives a correctly completed voter registration form that is dated after the voter registration deadline, the county clerk shall, unless the individual named in the form is preregistering to vote:
 - (i) register the applicant after the next election; and
 - (ii) if possible, promptly phone or mail a notice to the applicant before the election, informing the applicant that his registration will not be effective until after the election.
 - (b) When the county clerk receives a correctly completed voter registration form at least seven days before an election that is dated on or before the voter registration deadline, the county clerk shall:
 - (i) process the voter registration form; and
 - (ii) record the new voter in the official register.
- (8) If the county clerk determines that a voter registration form received from a public assistance agency or discretionary voter registration agency is incorrect because of an error or because it is incomplete, the county clerk shall mail notice to the individual attempting to register or preregister to vote, stating that the individual has not been registered or preregistered to vote because of an error or because the form is incomplete.

Amended by Chapter 130, 2015 General Session

20A-2-206 Electronic registration -- Requests for absentee ballot application.

- (1) The lieutenant governor may create and maintain an electronic system that is publicly available on the Internet for an individual to apply for voter registration or preregistration and for an individual to request an absentee ballot.
- (2) An electronic system for voter registration or preregistration shall require:
 - (a) that an applicant have a valid driver license or identification card, issued under Title 53, Chapter 3, Uniform Driver License Act, that reflects the applicant's current principal place of residence;
 - (b) that the applicant provide the information required by Section 20A-2-104, except that the applicant's signature may be obtained in the manner described in Subsections (2)(d) and (4);
 - (c) that the applicant attest to the truth of the information provided; and
 - (d) that the applicant authorize the lieutenant governor's and county clerk's use of the applicant's:
 - (i) driver license or identification card signature, obtained under Title 53, Chapter 3, Uniform Driver License Act, for voter registration purposes; or
 - (ii) signature on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-109.
- (3) Notwithstanding Section 20A-2-104, an applicant using the electronic system for voter registration or preregistration created under this section is not required to complete a printed registration form.
- (4) A system created and maintained under this section shall provide the notices concerning a voter's presentation of identification contained in Subsection 20A-2-104(1).
- (5) The lieutenant governor shall:
 - (a) obtain a digital copy of the applicant's driver license or identification card signature from the Driver License Division; or
 - (b) ensure that the applicant's signature is already on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-109.
- (6) The lieutenant governor shall send the information to the county clerk for the county in which the applicant's principal place of residence is found for further action as required by Section 20A-2-304 after:
 - (a) receiving all information from an applicant; and
 - (b)
 - (i) receiving all information from the Driver License Division; or
 - (ii) ensuring that the applicant's signature is already on file in the lieutenant governor's statewide voter registration database developed under Section 20A-2-109.
- (7) The lieutenant governor may use additional security measures to ensure the accuracy and integrity of an electronically submitted voter registration.
- (8)
 - (a) If an individual applies to register under this section during the period beginning on the date after the voter registration deadline and ending on the date that is 15 calendar days before the date of an election, the county clerk shall, unless the individual is preregistering to vote:
 - (i) accept the application for registration if the individual, on the date of the election, will be legally qualified and entitled to vote in a voting precinct in the state; and
 - (ii) inform the individual that the individual is registered to vote in the pending election.
 - (b) If an individual applies to register under this section during the period beginning on the date that is 14 calendar days before the election and ending on the date that is seven calendar days before the election, the county clerk shall, unless the individual is preregistering to vote:
 - (i) accept the application for registration if the individual, on the date of the election, will be legally qualified and entitled to vote in a voting precinct in the state; and
 - (ii) inform the individual that:

- (A) the individual is registered to vote in the pending election; and
- (B) for the pending election, the individual must vote on the day of the election and is not eligible to vote using early voting under Chapter 3, Part 6, Early Voting, because the individual registered too late.
- (c) If an individual applies to register under this section during the six calendar days before an election, the county clerk shall, unless the individual is preregistering to vote:
 - (i) accept the application for registration if the individual, on the date of the election, will be legally qualified and entitled to vote in a voting precinct in the state; and
 - (ii) inform the individual that the individual is registered to vote but may not vote in the pending election because the individual registered too late.
- (9)
 - (a) A registered voter may file an application for an absentee ballot in accordance with Section 20A-3-304 on the electronic system for voter registration established under this section.
 - (b) The lieutenant governor shall provide a means by which a registered voter shall sign the application form as provided in Section 20A-3-304.

Amended by Chapter 130, 2015 General Session